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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/881,908	06/15/2001	Soon-Bin Jung	TJK/182/ L.W.	8188

26689 7590 10/03/2002

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EXAMINER

ALEJANDRO MULERO, LUZ L

ART UNIT PAPER NUMBER

1763

DATE MAILED: 10/03/2002

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/881,908

Applicant(s)

JUNG ET AL.

Examiner

Luz L. Alejandro

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 6/15/01 (pre-amendment A).
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) 1-6 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 7-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☒ Claim(s) 1-12 are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 June 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Election/Restrictions

This application contains claims directed to the following patentably distinct species of the claimed invention: specie A directed to the embodiment of fig. 1a, and specie B directed to the embodiment of fig. 1c.

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, no claim is generic.

Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over

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the prior art, the evidence or admission may be used in a rejection under 35

U.S.C. 103(a) of the other invention.

During a telephone conversation with Timothy Keefer on 09/26/02 a provisional election was made with traverse to prosecute the invention of specie B, claims 7-12. Affirmation of this election must be made by applicant in replying to this Office action. Claims 1-6 are withdrawn from further consideration by the examiner, 37 CFR 1.142(b), as being drawn to a non-elected invention.

Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Specification

The disclosure is objected to because of the following informalities: at page 10-line 4, the word -- fixed -- has been misspelled. Also, it appears that in page 11-line 13, reference number "106" should read -- 116 --, since reference number 106 is a heater for the chamber (see page 10-line 3).

Appropriate correction is required.

Claim Objections

Claim 12 is objected to because of the following informalities: at line 2, it seems that "this" should be deleted for proper grammar. Appropriate correction is required.

Drawings

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference sign(s) not mentioned in the description: reference number 116 (see figs. 1A, 1B, and 1C). A proposed drawing correction, corrected drawings, or amendment to the specification to add the reference sign(s) in the description, are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was

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not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 7-8, 10-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schneider et al., EP 0838841 A2 in view of Singh et al., Qian et al., U.S. Patent 6,447,636 B1, Stimson, U.S. Patent 6,345,588 B1, and Collins et al., U.S. Patent 5,556,501.

Schneider et al. shows the invention substantially as claimed including a high density plasma processing apparatus generating a plasma, the apparatus comprising: a processing chamber providing hermetically sealed plasma generating space and having a planar surface on a top wall (see figs. 10 and 29); a gas inlet system; a plasma electrode 236 (see figs. 10 and 29, and col. 25, lines 40-42) receiving high frequency power and being installed on the planar surface of the top wall of the processing chamber; an antenna coil 180 installed on a surface of the top wall except the planar surface and receiving a second high frequency power; a means for heating the antenna coil; and a means for fixing the substrate inside the processing chamber parallel with the planar surface of the top wall of the processing chamber.

Schneider et al. does not expressly disclose: a) a plurality of gas pipes to inject the process gases, b) that the antenna includes a plurality of loop-shape antennas, c) a plurality of variable capacitors connected in parallel with the plurality of antennas, and d) that a heat exchange medium is used as the means for heating the antenna coil.

Singh et al. discloses a plasma processing apparatus in which a plurality of gas pipes 160 and 172 are use to inject the gases into the processing chamber, and wherein at least one gas pipe surrounds the means for fixing the substrate in a shape of a ring and the end of the gas pipe bends toward and over the means for fixing the substrate so as to inject the gases upward (see fig. 3). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the apparatus of Schneider et al. as to comprise the claimed plurality of gas pipes in order to supply secondary gas to the processing chamber and to improve process uniformity (see col. 5, lines 15-41 of Singh et al.).

Quian et al. discloses an inductive plasma processing apparatus which comprises an antenna, and further states that the antenna may be replaced by a plurality of concentric antenna coils as an alternative inductive structure (see col. 7, lines 52-54). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the apparatus of Schneider et al. as to comprise a plurality of concentric antenna coils because such inductive structure is suitable and known as an alternative structure for generating inductive plasma.

Stimson discloses that the use of a variable capacitor connected in parallel to an antenna provides control of the impedance by finely tuning and/or adjusting the variable capacitance of the capacitor (see col. 5, lines 15-43). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the apparatus of Schneider et al. as to further comprise variable capacitors

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connected to the plurality of the antenna coils in order to control of the impedance by finely tuning and/or adjusting the variable capacitance of the capacitor.

Collins et al. discloses a plasma processing apparatus in which the antenna coil is hollow and is heated by circulating a heat exchange medium therein (see col. 21, lines 32-34). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the apparatus of Schneider et al. as to comprise antenna coils that are hollow and to circulate a heat exchange medium through the antenna coils because such structure is known and suitable for heating the antenna coil.

Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Schneider et al., EP 0838841 A2 in view of Singh et al., Qian et al., U.S. Patent 6,447,636 B1, Stimson, U.S. Patent 6,345,588 B1, and Collins et al., U.S. Patent 5,556,501, as applied to claims 7-8 and 10-12 above, and further in view of Hama et al., U.S. Patent 5,525,156.

Schneider et al., Singh et al., Qian et al., Stimson, and Collins et al. are applied as above but do not disclose that the antenna coils are made of silver-coated aluminum. Hama et al. discloses the use of both silver and aluminum as desirable antenna coil materials (see col. 6, lines 48-50). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the apparatus of Schneider et al. modified by Singh et al., Qian et al., Stimson, and Collins et al., as to include a silver plated aluminum antenna coil because this will produce a more resistant

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and cost effective antenna, since aluminum is an inexpensive material while silver is an expensive and highly resistant material.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Luz L. Alejandro whose telephone number is 703-305-4545. The examiner can normally be reached on Monday to Thursday from 7:30 to 6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory L. Mills can be reached on 703-308-1633. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9310 for regular communications and 703-872-9311 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0661.


Luz L. Alejandro
Patent Examiner
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September 27, 2002